

REMARKS/ARGUMENTS

Re-examination and favorable reconsideration in light of the above amendments and the following comments are respectfully requested.

Claims 31 - 88 are pending in the application. Currently, claims 31 - 71, 87 and 88 stand rejected; and claims 72 - 86 stand withdrawn from consideration.

Claims 31, 51, 52, 87, and 88 have been amended herein; and claim 50 has been cancelled without prejudice.

In the office action mailed October 16, 2009, claims 31 - 71, 87, and 88 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,240,938 to Kraft et al.

The foregoing rejection is traversed by the instant response.

As amended herein, claim 31 is directed to an element having a surface on which a one-component adhesive is applied at least on a section thereof, the moisture content of which is reduced after application up to the point of moisture content equilibrium, said one-component adhesive being block-free and having a surface with a static friction of at least about 1 N/mm².

The Kraft et al. patent does not anticipate the subject matter of amended claim 31. In the portion beginning at column 16, line 63 and ending at column 17, line 50 Kraft et al. describe the adhesive being used by them. It is stated that the adhesive has to be tacky in order to work as an adhesive (see column 17, lines 2 to 8). Thus, the adhesive according to Kraft et al.'s disclosure is not designed to remain "open" on the product for a longer period of time. Accordingly, Kraft et al. state that the optimally prepared

adhesive should be either used immediately or else may be stored at room temperature in sealed containers (see column 17, lines 9 - 13).

In contrast, amended claim 31 states that the adhesive film is "block-free". See page 3, last paragraph of the substitute specification. "Block-free" means that a layer of dust on the surface of the adhesive will not diminish its ability to bond. The dust can simply be blown away without interfering with the adhesive's ability to work. Being block-free is essential for the adhesive according to the present invention because the element comprising an adhesive according to the invention shall be stored, transported, and only finally, probably after some weeks or months, be joined to a similar element or different elements. Thus, the adhesive according to the present invention is exposed to the environment for quite some time until finally it has to work. Being block-free allows the adhesive of the present invention to work in this manner.

Still further, the Kraft et al. patent clearly states that once tackiness is lost, the compound will no longer be sufficient to enable it to be used as an adhesive. This quite a different concept than what is being claimed - namely an adhesive which is block-free and has a surface which develops a static friction of at least 1 N/mm².

For these reasons, claim 31 is allowable over Kraft et al.

Claims 87 and 88 have been amended in a manner similar to the amendment to claim 31 and are allowable for the same reasons.

Claims 32 - 49 and 51 - 71 are allowable for the same reasons as claim 31 as well as on their own accord.

The instant application is believed to be in condition for allowance. Such allowance is respectfully solicited.

Should the Examiner believe an additional amendment is needed to place the case in condition for allowance, the Examiner is hereby invited to contact Applicants' attorney at the telephone number listed below.

No fee is believed to be due as a result of this response. Should the Director determine that a fee is due, he is hereby authorized to charge said fee to Deposit Account No. 02-0184.

Respectfully submitted,

Roger Braun et al.

By/Barry L. Kelmachter #29999/
Barry L. Kelmachter
BACHMAN & LaPOINTE, P.C.
Reg. No. 29,999
Attorney for Applicants
Telephone: (203) 777-6628
Telefax: (203) 865-0297
Email: docket@bachlap.com

Dated: January 14, 2010